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Minutes of the
Board of Minerals and Environment
Telephone Conference Call Meeting
523 East Capitol Avenue
Pierre, South Dakota

October 24, 2024
10:00 a.m. Central Time

CALL TO ORDER: The meeting was called to order by Chairman Glenn Blumhardt. The roll was called, and a quorum was present.

The meeting was streaming live on SD.net, a service of South Dakota Public Broadcasting.

BOARD MEMBERS PRESENT: Glenn Blumhardt, Rex Hagg, Bob Ewing, Doyle Karpen, Jessica Gruenwald, Gary Haag, Bob Morris, and Laurie Schultz.

BOARD MEMBERS ABSENT: Gregg Greenfield.

OTHERS PRESENT: Mike Lees, Roberta Hudson, Eric Holm, Lucy Blocker, Bret Graves, and Tom Cline, DANR Minerals, Mining, and Superfund Program, Steve Blair, Deputy Attorney General.

APPROVAL OF MINUTES FROM JULY 18, 2024, MEETING: Motion by Hagg, seconded by Ewing, to approve the minutes from the July 18, 2024, Board of Minerals and Environment meeting. A roll call vote was taken, and the motion carried with Ewing, Gruenwald, Haag, Hagg, Morris, Schultz, and Blumhardt voting aye. Karpen abstained.

MINING ISSUES CONSENT CALENDAR: A copy of the consent calendar, which is a table listing the department recommendations for transfers of liability, transfers of liability and surety, releases of liability, release of liability and surety, was included in the board packet. (See attachment.)

Tom Cline was available to answer questions. There were no questions from the board.

Motion by Morris, seconded by Gruenwald, to approve the consent calendar, as presented. A roll call vote was taken, and the motion carried unanimously.

RELEASE OF LIABILITY AND SURETY FOR GCC DACOTAH, EXPLORATION NOTICES OF INTENT, EXNI-428, 429, 430, AND 432: Roberta Hudson reported that GCC Dacotah has requested release of reclamation liability and surety for four EXNIs covered under the previous statewide surety amount of \$20,000.

EXNI 428, issued in June 2017, is in Rapid City and allowed for the drilling of 12 holes. The holes were drilled in 2017 and the site has been in reclamation since.

EXNI 429, issued in August 2017, allowed for the drilling of six holes near some historic limestone quarries on the west side of Sturgis. GCC drilled five holes in 2017, and the area has been in reclamation since.

EXNI 430, issued in August 2017, allowed for drilling two holes at the limestone quarry in Rapid City. GCC drilled one hole in 2017. The hole was plugged appropriately and the area then became part of the active mine quarry.

EXNI 432, issued in October 2018, allowed for the drilling of up to 100 holes of which GCC drilled 34. Exploration activity was conducted northwest of Sturgis between Sturgis and Whitewood. The area has been in reclamation for several years.

GCC Dacotah filed for release of liability in May 2024. The department conducted a closure inspection for all four EXNIs on July 17, 2024, and determined the areas had been successfully reclaimed.

The department recommended release of reclamation liability and surety for GCC Dacotah's EXNIs 428, 429, 430, 432, and statewide Surety Bond No. 106336637, Travelers Casualty and Surety Company of America, Hartford Connecticut, in the amount of \$20,000.

Motion by Hagg, seconded by Karpen, to release reclamation liability and surety for GCC Dacotah's EXNIs 428, 429, 430, and 432 and statewide Surety Bond No. 106336637, Travelers Casualty and Surety Company of America, Hartford Connecticut, in the amount of \$20,000. A roll call vote was taken, and the motion carried unanimously.

RELEASE OF RECLAMATION SURETY FOR PETE LIEN AND SONS MINE PERMITS 58 AND 216 DUE TO CONVERSION OF LIMESTONE MINE PERMITS TO MINE LICENSE AND RELEASE OF RECLAMATION SURETY FOR SIMON CONTRACTORS MINE PERMITS 14, 444, AND 489 DUE TO CONVERSION OF LIMESTONE MINE PERMITS TO MINE LICENSE: Eric Holm reported that Senate Bill 111, which was approved during the 2024 legislative session and became effective on July 1, 2024, placed the mining of any use of limestone under the mine license statutes (SDCL 45-6-65). As a result, current mine permits issued for limestone uses other than construction aggregate, cement, or lime production need to be converted to a licensed mining operation. At this time, Pete Lien and Sons and Simon Contractors of South Dakota, Inc. are in the process of converting mine permits to licensed operations.

Pete Lien is converting Large Scale Mine Permit 58 located approximately nine miles southwest of Pringle and Large Scale Mine Permit 216 located along Sturgis Road near Black Hawk.

Simon Contractors is converting Large Scale Mine Permit 14 located along Sturgis Road in Rapid City, Small Scale Mine Permit 444 located one-half mile south of Hidden Valley Road in

Rapid City, and Large Scale Mine Permit 489 located approximately four miles southwest of Pringle.

Since Pete Lien and Sons and Simon Contractors have mine licenses, the process for the conversion of the mine permit to a mine license is similar to the publication and notification requirements of SDCL 45-6-68 and 45-6-69 in adding a site to a license. Instead of a Notice of Intent, the operator publishes a Notice of Conversion to License and Intent to Continue Operation. A copy of the notice is sent to DANR, Game, Fish, and Parks, the Archaeological Research Center, and the local conservation district. Pete Lien and Sons and Simon Contractors published the notices in newspapers local to the mines and submitted copies to the required review agencies.

All areas previously disturbed under the mine permit, including reclamation liability, will now be covered under the mine license and the reclamation bond held under the mine license.

Mr. Morris asked what the surety requirements are once these are converted to a mine license.

Mr. Holm stated that Pete Lien and Sons and Simon Contractors are existing operators since they already have mine licenses and currently hold a \$20,000 statewide surety. The \$20,000 statewide surety for each license will increase to \$100,000 on July 1, 2026, \$200,000 on July 1, 2027, and \$300,000 on July 1, 2029, as required under SDCL 45-6-71.

Mr. Hagg asked if the lesser amount is deemed adequate on the exposure, and is there a need to release the other bonds until that is completed?

Mr. Holm stated that mine permits were converted to mine licenses for pegmatite mines in 1989 and limestone operations used for cement or lime were converted to mine licenses in 1991. In those instances, the board released the bonds for the mine permits and went to bonds required for mine licenses. This is the same procedure being used today.

Mr. Hagg asked if the department believes the bond required for mine licenses is an adequate amount?

Mr. Holm stated that the department is following the bonding requirements as set forth in SB 111, which was approved by the legislature in 2024.

Chairman Blumhardt stated that as of July 1, 2024, there is only a \$20,000 bond, and that bond amount does not change to \$100,000 until July 1, 2026. He commented that the bond for Pete Lien's Mine Permit 50 is dropping from \$284,500 to \$20,000.

Mr. Karpen said it sounds like the legislature has trapped the board into a corner. He stated that the new bond amount is a major reduction; it is more than \$250,000 less.

Chairman Blumhardt said it does give him a lot of angst to give up that much bonding. Even though Pete Lien and Sons is a long-time established contractor in South Dakota, the board is giving up a lot of bonding.

Mike Lees stated that the tiered approach to the bond increase under SDCL 45-6, the construction aggregate law, was a compromise with the legislature. The legislature didn't want to hit the sand and gravel operators with a drastic bond increase all at once. The transfer of the mine permits for limestone to the mine license is now the law. Over the next five years the amount will increase and at the end of the five-year window the bond amount will be more comparable to what it was before. He said the department does not have the authority to require agricultural limestone producers to have a permit-level bond amount since it's now required to be under a mine license.

Chairman Blumhardt stated that to comply with the new law the board needs to release the sureties for these companies. He said it bothers him that the board is giving up all that bonding right now, and the bond amount will be short for the next few years.

Mr. Karpen said the board has no choice but to release the bonds. He stated he believes the two companies are very reputable, but this is a precedent that the legislature is setting. He commented that if the board gets into a jam, the legislature can bail the board out with a bill to finance the reclamation.

Motion by Karpen, seconded by Schultz, to release Pete Lien and Sons Large Scale Mine Permit 58 Surety Bond No. 30097847, Western Surety Company, in the amount of \$284,500, and to release Pete Lien and Sons Large Scale Mine Permit 216 Surety Bond No. 30097837, Western Surety Company, in the amount of \$10,000.

Mr. Hagg said the board has talked about raising the amount for some of these sureties to make sure there is adequate coverage, and this legislation is inconsistent with that. The board has had concerns that the surety amounts were inadequate, so in the short-term the \$20,000 bond requirement is disturbing.

Mr. Morris stated that this is clearly an example of unintended consequences, but considering the longevity and reputation of both contactors, he does not have a significant problem with them taking advantage of the law as it was written.

A roll call vote was taken, and the motion carried unanimously.

Chairman Blumhardt commented that the board released more than \$1,500,000 in bonding for Simon Contractors in exchange for a \$20,000 statewide bond.

Mr. Holm asked if the board wanted to hear the department recommendation.

Chairman Blumhardt stated that the board is going to do what the legislature has required them to do.

Mr. Hagg stated that the board will do what is statutorily required to do, but the board is not in agreement with this compromise on the bond reduction and, in the board's opinion, it is too drastic. He requested that the meeting minutes reflect the board's discussion.

Chairman Blumhardt said he believes the board feels like it is backed into a corner and is giving up a lot for very little.

Motion by Hagg, seconded by Karpen, to release Simon Contractors of South Dakota Inc. Large Scale Permit 14 Surety Bond No. 014071181, Liberty Mutual Insurance Company, in the amount of \$677,800; release Simon Contractors of South Dakota Inc. Small Scale Permit 444 Surety Bond No. 014071182, Liberty Mutual Insurance Company, in the amount of \$2,500, and release Simon Contractors of South Dakota Inc. Large Scale Permit 489 Surety Bond No. 015218607, Liberty Mutual Insurance Company, in the amount of \$883,000. A roll call vote was taken, and the motion carried unanimously.

UNDERGROUND INJECTION CONTROL (UIC) DELEGATION DOCUMENT UPDATE:

Lucy Blocker noted that prior to the meeting the board received copies of the Program Description, the Memorandum of Agreement, and the Attorney General's Statement that allows the department to have a delegated Class II Underground Injection Control Program.

In 2021, the Department of Environment and Natural Resources merged with the Department of Agriculture, so the agency name and rule citations needed to be updated.

Motion by Schultz, seconded by Hagg, to authorize Chairman Blumhardt to execute the Memorandum of Agreement between the Department of Agriculture and Natural Resources and the U.S. Environmental Protection Agency, Region 8. A roll call vote was taken, and the motion carried unanimously.

ENFORCEMENT HEARING IN THE MATTER OF THOMAS L. SUNDE'S VIOLATIONS OF SDCL CHAPTER 45-9 AND ARSD ARTICLE 74:12 (OIL AND GAS PERMIT NOS. 121, 340, 342, 348, 416, AND 2066): Chairman Blumhardt turned the gavel over to Hearing Chairman Bob Morris.

Steve Blair, Deputy Attorney General, was present on behalf of the Department of Agriculture and Natural Resources Minerals, Mining, and Superfund Program.

No one was present on behalf of Thomas L. Sunde.

At the request of Hearing Chairman Morris, Mr. Blair provided the following overview of this matter.

Mr. Sunde holds six permits to drill. Based on those permits, Sunde operated oil production wells in the Barker Dome Field in Custer County at the following locations:

- Ozark 2 Coffing, located in the southeast quarter of the northwest quarter of Section 34, Township 6 South, Range 2 East.
- Ozark 1 Coffing, located in the southeast quarter of the northwest quarter of Section 34, Township 6 South, Range 2 East.

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- Dodgin 1 Coffing, located in the northeast quarter of the northwest quarter of Section 34, Township 6 South, Range 2 East.
- Helms 1 Coffing, located in the northeast quarter of the northwest quarter of Section 34, Township 6 South, Range 2 East.
- Ozark 3 Coffing, located in the southeast quarter of the northwest quarter of Section 34, Township 6 South, Range 2 East.
- Sunde 1-6-2-34 Spencer, located in the northwest quarter of the southeast quarter of Section 34, Township 6 South, Range 2 East.

ARSD 74:12:03:03 requires wells to be idle for no more than six months without approval of the Secretary for a longer term. Mr. Sunde reported no production since 2022 for the Helms 1 Coffing, Permit 121, Ozark 1 Coffing, Permit 340, Dodgin 1 Coffing, Permit 342, and Ozark 2 Coffing, Permit 348. These wells have been idle since 2022 and have not been temporarily abandoned or plugged and abandoned. This is considered a violation of the administrative rule.

The injection well, Ozark 3 Coffing, Permit 416, has reported no injection since 2022 and has not been temporarily abandoned or plugged and abandoned. This is considered a violation of the administrative rule.

The Sunde 1-6-2-34 Spencer well, Permit 2066, was drilled by Sunde in 2015 and temporarily abandoned in 2020. The well has never produced.

All the wells are covered by a \$100,000 surety bond issued by Lexon Insurance Company, which is a subsidiary of Sompo International.

In April 2024, the department issued a Notice of Violation and Order to Thomas L. Sunde regarding the violations of not producing from, or injecting into, the wells and not either temporarily abandoning or plugging and abandoning the wells. Mr. Sunde did not contest that Notice of Violation within the required amount of time.

In September 2024, the department issued a Petition to Revoke Drilling Permits and Forfeit Surety in this matter based on the allegations contained in the Notice of Violation.

There was communication with Mr. Sunde's counsel, and in October 2024 Mr. Sunde signed a stipulation in which he stipulated that he is not contesting the allegations. He stipulated to entry of an Order by the board revoking the permits and forfeiting the surety, and he waived appearance before the board in that stipulation.

Mr. Blair said he had communication with the surety company. The company was given notice of the petition and the stipulation. The company indicated they were not contesting forfeiture of the surety bond.

An Order was drafted and provided to Hearing Chair Morris. The Order revokes the permits for failure to temporarily abandon or plug and abandon and forfeits the surety.

Mr. Blair noted that once the surety is forfeited, Permit 2066, which covers the Sunde 1-6-2-24 Spencer well, will not have proper surety as required by state law, so that permit will also be revoked.

Hearing Chair Morris stated that a court reporter was not present, but the hearing was being recorded.

Hearing Chair Morris asked if there was anyone present on the conference call that wanted to make an appearance on behalf of Thomas L. Sunde in the matter of Thomas L. Sunde's Violations of SDCL Chapter 45-9 and ARSD Article 74:12 (Oil and Gas Permit Nos. 121, 340, 342, 348, 416, and 2066). There was no response.

Hearing Chair Morris asked if there was anyone present on the conference call that wanted to make an appearance on behalf of Lexon Insurance Company. There was no response.

Hearing Chair Morris requested board action.

Motion by Hagg, seconded by Gruenwald, to accept the Stipulation for revocation of drilling permits and forfeiture of surety in the matter of Thomas L. Sunde's violations of SDCL Chapter 45-9 and ARSD Article 74:12 (Oil and Gas Permit Nos. 121, 340, 342, 348, 416, and 2066). A roll call vote was taken, and the motion carried unanimously.

In response to a question from Ms. Schultz regarding the bond forfeiture, Mr. Blair stated that the department will undertake activities to make sure the wells are properly plugged, abandoned, and reclaimed.

Chairman Blumhardt asked if the \$100,000 surety will cover the cost of plugging, abandoning, and reclaiming the wells. Mr. Lees stated that the \$100,000 surety is not enough to plug the six wells. The department's plan is to use the surety that was acted upon under the Quartz case several years ago. That amount supplemented with the \$100,000 surety from Mr. Sunde will cover most of the estimated cost for plugging the wells.

Motion by Hagg, seconded by Ewing, to adopt the Order revoking drilling permits and forfeiting surety in the matter of Thomas L. Sunde's violations of SDCL Chapter 45-9 and ARSD Article 74:12 (Oil and Gas Permit Nos. 121, 340, 342, 348, 416, and 2066), and authorizing Hearing Chair Morris to execute the Order on behalf of the Board of Minerals and Environment. A roll call vote was taken, and the motion carried unanimously.

Below is the adopted Order.

ORDERED that the Stipulation for Revocation of Drilling Permits and Forfeiture of Surety, referenced above, is hereby fully incorporated herein by this reference. It is further

ORDERED that Oil & Gas Permit Nos. 348, 340, 342, 121, and 416 are hereby revoked for failure to comply with the terms and conditions of said permits and applicable State law. It is further

ORDERED that Oil & Gas Permit No. 2066 is hereby revoked due to lack of surety as required by State law. It is further

ORDERED that surety bond No. 1114551, issued by Lexon Insurance Company, totaling \$100,000, be forfeited to the State of South Dakota. The Chairman of the Board is authorized to issue whatever paperwork is necessary to complete the forfeiture of said surety. It is further

ORDERED that Department staff are directed and authorized to carry out all activities necessary to transfer the proceeds of Lexon Insurance Co. Surety Bond No. 1114451 to the Department to be held in the name of the Board. It is further

ORDERED that, upon receipt of the payment of the surety to the Department of Agriculture & Natural Resources, Thomas L. Sunde is released from liability for the plugging and abandonment of all wells associated with Oil & Gas Permits Nos. 348, 340, 342, 121, 416, & 2066, and is released from all liability for any surface reclamation of any well-site associated with the identified permits.

Hearing Chair Morris closed the hearing and returned the gavel to Chairman Blumhardt.

PUBLIC COMMENT PERIOD IN ACCORDANCE WITH SDCL 1-25-1: Byron Erbele, Edgemont, SD commented on the Sunde matter.

NEXT MEETING: The next meeting is November 21, 2024, via telephone conference call.

ADJOURN: Motion by Hagg, seconded by Karpen, to adjourn the meeting. A roll call vote was taken, and the motion carried unanimously.


Secretary, Board of Minerals and Environment

11/21/2024
Date

*South Dakota Board of Minerals & Environment
Consent Calendar*

October 24, 2024

<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
<u>Transfer of Liability:</u>					
Dakota Road Builders Custer, SD	83-240		\$20,000	Western Surety Company	Transfer liability.
		240025	E1/2 Section 25; T92N-R50W, Union County		
Transfer to:					
Pollman Excavation, Inc. Custer, SD	15-994		\$20,000	First Premier Bank, Wakonda, SD	
<u>Transfer of Liability & Surety Release:</u>					
Roland A Fannin Watertown, SD	18-1040		\$2,500	Dacotah Bank Watertown	Transfer liability & \$2,500.
		1040001	NE1/4 Section 18; T117N-R51W, Codington County		
Transfer to:					
Clausen & Sons Construction LLC Watertown, SD	83-15		\$20,000	Merchants Bonding Company	
Marty Lund Parker, SD	20-1088		\$1,000	Great Western Bank Lennox, SD	Transfer liability & \$1,000.
		1088001	N1/2 NW1/4 Section 25; T99N-R53W, Turner County		
Transfer to:					
Precision Dirtworks LLC Sioux Falls, SD	24-1143		\$2,000	Central Bank Sioux Falls, SD	

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<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
<u>Transfer of Liability & Surety Release:</u>					
John C Rider Henry, SD	09-885		\$2,000	Dacotah Bank - Watertown, SD Dacotah Bank - Clark, SD	Transfer liability & \$2,000.
		885001		SE1/4 Section 28; T118N-R55W, Codington County	
Transfer to:					
Hovde Excavating & Gravel LLC Clark, SD	24-1144		\$3,500	Reliabank Dakota - Hazel, SD Dacotah Bank - Watertown, SD	
<u>Release of Liability:</u>					
Bob Bak Construction Ravina, SD	83-61		\$20,000	American State Bank - Pierre, SD First National Bank - Pierre, SD American Bank & Trust - Pierre, SD Wells Fargo Bank - White River, SD	Release liability.
		61032		Section 5; T1N-R25E, Haakon County	
Clausen & Sons Construction LLC Watertown, SD	83-15		\$20,000	Merchants Bonding Company	Release liability.
		15008		NE1/4 Section 31; T117N-R57W, Clark County	
Divine Concrete Inc Bonesteel, SD	00-698		\$2,500	First Fidelity Bank Bonesteel, SD	Release liability.
		698001		NE1/4 SW1/4 Section 24; T96N-R69W, Gregory County	

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<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
Release of Liability:					
Edmunds County Hwy Dept. Ipswich, SD	83-161		Exempt	NA	Release liability.
		161015	NW1/4 SW1/4 Section 1; T125N-R73W, McPherson County		
Forest Excavating Clark, SD	08-855		\$20,000	The Ohio Casualty Ins. Co.	Release liability.
		855001	SW1/4 Section 31; T117N-R57W, Clark County		
Hamlin County Hwy Dept. Hayti, SD	83-56		Exempt	NA	Release liability.
		56005	NW1/4 Section 9; T114N-R53W, Hamlin County		
Hand County Hwy Dept. Miller, SD	83-148		Exempt	NA	Release liability.
		148002	Lot 1 SW1/4 Section 11; T115N-R66W, Hand County		
		148006	NW1/4 Section 15; T115N-R67W, Hand County		
Harding County Hwy Dept. Buffalo, SD	83-66		Exempt	NA	Release liability.
		66044	NE1/4 NE1/4 Section 34; T22N-R8E, Harding County		

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<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
Release of Liability:					
J & L Ventures, LLC Mitchell, SD	17-1031		\$1,500	Security State Bank Alexandria, SD	Release liability.
		1031001	SW1/4 Section 24; T103N-R61W, Davison County		
Jensen Rock & Sand Inc Mobridge, SD	83-112		\$20,000	New Hampshire Insurance Co.	Release liability.
		112008	S1/2 NE1/4 Section 33; T124N-R78W, Walworth County		
Jerauld County Hwy Dept.	83-80		Exempt	NA	Release liability.
		80050	SE1/4 Section 34; T106N-R65W, Jerauld County		
Vickie Kitchell Ipswich, SD	09-879		\$11,500	First State Bank of Roscoe Roscoe, SD	Release liability.
		879005	NE1/4 Section 13; T122N-R68W, Edmunds County		
Miller Construction Isabel, SD	03-767		\$20,000	Western Surety Company	Release liability.
		767005	N1/2 NW1/4 Section 24; T124N-R76W, Walworth County		
		767006	SW1/4 Section 12: T125N-R76W, Campbell County		

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<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
<u>Release of Liability:</u>					
Portland Township Clear Lake, SD	97-623		Exempt	NA	Release liability.
		623001	NW1/4 Section 26; T117-R49W, Deuel County		
Pro Crush Olivet, SD	14-975		\$9,500	The Farmer & Merchants State Bank – Scotland, SD	Release liability.
		975006	SE1/4 Section 8; T98N-R62W, Douglas County		
Vanderpol Dragline, Inc. Mitchell, SD	83-59		\$20,000	Wausau Underwriters Insurance Company	Release liability.
		59013	SW1/4 Section 31; T101N-R65W, Aurora County		
		59017	NW1/4 Section 26; T103N-R60W, Davison County		
		59019	NE1/4 Section 12; T100N-R65W, Douglas County		

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<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
<u>Release of Liability & Surety Release:</u>					
Blane Nagel Springfield, SD	20-1062	1062001	\$5,500	Security State Bank Tyndall, SD NE1/4 Section 17; T93N-R60W, Bon Homme County	Release liability & \$5,500.
Mehlhaff Construction Tripp, SD	83-218	218017	\$4,000	The Farmer & Merchants State Bank – Scotland, SD SW1/4 Section 17; T98N-R62W, Douglas County	Release liability & \$4,000.
Sorber Inc. Colome, SD	20-1077	1077001	\$500	First Fidelity Bank Colome, SD N1/2 Section 10; T95N-R75W, Tripp County	Release liability & \$500.

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<u>Permit Holder</u>	<u>Permit No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
<u>Release of Reclamation Liability and Surety for GCC Dacotah:</u>				
GCC Dacotah Rapid City, SD	EXNI's 428, 429, 430, and 432	\$20,000	Traveler's Casualty & Surety Company of America	Release liability and Surety Bond No. 106336637, Traveler's Casualty & Surety of American, in the amount of \$20,000.
			EXNI-428 Sections 14 & 20; T2N-R7E, Pennington County Section 11; T2N-R7E, Meade County	
			EXNI-429 Sections 8 & 18; T5N-R5E, Meade County	
			EXNI-430 Sections 28 & 33; T2N-R7E, Pennington County	
			EXNI-432 Portions of Sections 1, 12, & 13; T5N-R4E & Portions of Sections 35 & 36; T6N-R4E, Lawrence County Portions of Sections 6 & 7; T5N-R5E, Meade County	
<u>Release of Reclamation Surety for Pete Lien & Sons:</u>				
Pete Lien & Sons Rapid City, SD	58	\$284,500	Western Surety Company	Release Surety Bond No. 30097847, Western Surety Company, in the amount of \$284,500 due to conversion to mine license.
			S1/2 NE1/4, Portion of SE1/4 NW1/4, NE1/4 SW1/4, & Portion of W1/2 SW1/4, N1/2 SE1/4, SE1/4 SW1/4, & S1/2 SE1/4 Section 29; T6S-R4E, Custer County	

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<u>Permit Holder</u>	<u>Permit No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
Pete Lien & Sons Rapid City, SD	216	\$10,000	Western Surety Company	Release Surety Bond No. 30097837, Western Surety Company, in the amount of \$10,000 due to conversion to mine license.
Section 12; T2N-R6E & Section 7; T2N-R7E, Meade County Sections 17, 18, & 19; T2N-R7E, Pennington County				
<u>Release of Reclamation Surety for Simon Contractors of SD Inc:</u>				
Simon Contractors of SD Inc Rapid City, SD	14	\$677,800	Liberty Mutual Insurance Company	Release Surety Bond No. 014071181, Liberty Mutual Insurance Company, in the amount of \$677,800 due to conversion to mine license.
Portions of SW1/4 NE1/4, NW1/4 SE1/4, NE1/4 SE1/4 & E1/2 NW1/4 Section 33 & Portions of SW1/4 SW1/4 & SE1/4 SW1/4 Section 28; T2N-R7E, Pennington County				
Simon Contractors of SD Inc Rapid City, SD	444	\$2,500	Liberty Mutual Insurance Company	Release Surety Bond No. 014071182, Liberty Mutual Insurance Company, in the amount of \$2,500 due to conversion to mine license.
S1/2 Section 30; T2N-R7E, Pennington County				

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<u>Permit Holder</u>	<u>Permit No.</u>	<u>Surety Amount</u>	<u>Surety Company or Bank</u>	<u>DANR Recommendation</u>
Simon Contractors of SD Inc Rapid City, SD	489	\$883,000	Liberty Mutual Insurance Company	Release Surety Bond No. 015218607, Liberty Mutual Insurance Company, in the amount of \$883,000 due to conversion to mine license.
Portions of Sections 33 & 34; T5S-R4E, Custer County				